

REMARKS

Claims 23-26, 29, 32-37, 43, 45-50, and 55-56 are currently pending. Claims 1-22, 27, 28, 38-42, and 51-54 were canceled in previous Amendments, claims 30, 31, and 44 are canceled herein, and claims 23 and 46 are amended herein. No new matter is added by way of this Amendment.

Applicants are pleased to note that the Examiner deems claims 55 and 56 allowable.

Rejection

(1) Claims 23-26, 29-37, and 43-50 stand rejected under 35 U.S.C. 112, first paragraph as lacking written description for the following reasons:

- a) there is no written description to support the priming dose range of cells recited in claim 23; and
- b) there is no written description to support the subsequent dose range of cells recited in claim 46.

(2) Claims 30 and 31 stand rejected by the Examiner as being indefinite under 35 U.S.C. §112, second paragraph. The Examiner states that claims 30 and 31 do not further limit claim 23, from which they depend because the specification teaches that “tumor cell equivalents” as recited in claim 23, include both “tumor cell membrane components” and “tumor cell polypeptides,” as recited in claims 30 and 31, respectively.

Response

In response to rejection (1), solely to expedite prosecution of this application, per the Examiner’s suggestion, Applicant has amended claim 23 to recite a priming dose range of cells of 2×10^5 to about 2.5×10^6 cells or cell equivalents. Also, solely to expedite prosecution of this application, Applicant has amended claim 46 to recite a dose range of cells to be administered after the priming dose of 2×10^5 to about 1×10^7 . Support for these amendments may be found on page 20, line 28 spanning to page 21, line 8. Further, the priming dosage range as amended in claim 23 (2×10^5 to about 2.5×10^6 cells or cell equivalents) was already present in claim 46 and has been searched; and the subsequent vaccine dosage range (2×10^5 to about 1×10^7) as amended in claim 46 was already present in claim 23 and has been searched.

Regarding the amendments to claims 23 and 46, Applicant asserts that each of the dosage ranges has already been accepted by the Examiner as being clear of the prior art since a search

was already performed on the priming dosage range as it pertains to claim 46 and the subsequent vaccine dosage range as it pertains to 23. Therefore, Applicant asserts that no further search is required for either amendment and respectfully requests that the Examiner enter these amendments. For at least this reason, Applicant requests reconsideration and withdrawal of the rejection.

Regarding rejection (2), Applicant states that this rejection is rendered moot in view of the cancellation of claims 30 and 31.

Summary

The Applicant respectfully submits that each rejection of the Examiner to the claims of the present application has been either overcome or is now inapplicable, and that each of claims 23-26, 29, 32-37, 43, 45-50, and 55-56 is in condition for allowance. Reconsideration and allowance of each of these claims are respectfully requested at the earliest possible date.

Respectfully submitted,

DAVID BERD

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(Date)

By: _____


Gail H. Griffin

Registration No. 51,941

Louis W. Beardell, Jr.

Registration No. 40,506

MORGAN, LEWIS & BOCKIUS, L.L.P.

1701 Market Street

Philadelphia, PA 19103

Telephone: (215) 963-5000

Direct Dial: (215) 963-5265

Facsimile: (215) 963-5001

E-Mail: ggriffin@morganlewis.com

Attorney for Applicant

GHG